

2007 DRAFTING REQUEST

Bill

Received: 12/05/2007

Received By: **mkunkel**

Wanted: As time permits

Identical to LRB:

For: **Michael Huebsch (608) 266-3387**

By/Representing: **Kevin Moore**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Huebsch@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Withholding from public inspection information about public utility security

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 12/05/2007	kfollett 12/06/2007		_____			
/1			jfrantze 12/06/2007	_____	cduerst 12/06/2007	sbasford 12/11/2007	

FE Sent For: *N/A*

<END>

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/?	mkunkel	11/16 12/16	J 12/16	J/RS 12/16			

FE Sent For:

<END>

Kunkel, Mark

From: Moore, Kevin
Sent: Monday, December 03, 2007 11:53 AM
To: Kunkel, Mark
Subject: Drafting Request

Mark-

Could I get 2003 SB 8 drafted for the Speaker? I believe there was a sub amendment that was added to the bill. There were also two amendments that were added to the Sub. Could you draft the sub with these amendments included.

Thanks. Please feel free to contact me should you have any questions.

Kevin Moore
Office of Assembly Speaker Mike Huebsch
1-608-261-5683 - Direct
1-608-266-3387 - Local
1-888-534-0094 - Toll Free
1-608-282-3694 - Fax
www.legis.state.wi.us
www.wisconsin.gov

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 8**

November 25, 2003 - Offered by Representative JENSEN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 6: after "facilities" insert ", telecommunications systems,".

3 (END)

Date (time) needed

SOON

LRB - 3590 / 1

BILL

D-NOTE

MDR: kjf:

Use the appropriate components and routines developed for bills.

AN ACT ^{gen cat} / . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *withholding utility security system plans from public inspection* (i)

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: **create → anal: → title: → head**

For the subheading, execute: **create → anal: → title: → sub**

For the sub-subheading, execute: **create → anal: → title: → sub-sub**

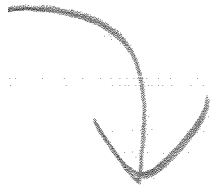
For the analysis text, in the component bar:

For the text paragraph, execute: **create → anal: → text**

INSERT A

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 8**

November 25, 2003 - Offered by Representative JENSEN.

1 **AN ACT** *to create* 19.36 (13) of the statutes; **relating to:** withholding utility
2 security system plans from public inspection.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 19.36 (13) of the statutes is created to read:

4 19.36 (13) UTILITY SECURITY SYSTEM PLANS. (a) In this subsection:

5 1. "Security system plan" means a plan for the physical or electronic security

6 of facilities or information technology systems owned or operated by a utility,

7 including any information, photograph, audio or visual presentation, schematic

8 diagram, survey, recommendation, consultation, or other communication related to

9 such a plan, and including any threat assessment, vulnerability or capability

10 assessment, or threat response plan or any emergency evacuation plan.

telecommunications systems

14

1 + INSERT 2-1

1 2. "Utility" means a cooperative association organized under ch. 185 for the
2 purpose of producing or furnishing heat, light, power, or water to its members only
3 or a public utility, as defined in s. 196.01 (5).

4 (b) An authority may withhold access to any record containing a security
5 system plan or a portion of a security system plan if the authority determines that
6 a facility or system that is the subject of the plan is so vital to the state that the
7 incapacity or destruction of the facility or system would have a debilitating impact
8 on the physical or economic security of the state or on public health, safety, or welfare.

9 (END)

D-Note

INSERT A:

Under current law, with certain exceptions, a state or local governmental entity is required to permit a requester to inspect records created or kept by the entity. This bill creates another exception for any record containing a utility security system plan.

The bill defines "security system plan" as a plan for the physical or electronic security of facilities, telecommunications systems, or information technology systems owned or operated by a utility. "Security system plan" is also defined to include any information or other communication related to such a plan, or any threat assessment, vulnerability or capability assessment, or threat response plan or any emergency evacuation plan. The bill defines "utility" as any person that generates, transmits, or distributes electricity, transports or distributes natural gas, operates a public water system, or provides telecommunications or sewer service.

The bill allows a state or local governmental entity to withhold public access to any record containing a security system plan, or a portion of such a plan, if the state or local governmental entity determines that a facility or system that is the subject of the plan is so vital to the state that the incapacity or destruction of the facility or system would have a debilitating impact on the physical or economic security of the state or on public health, safety, or welfare.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3590/1dn
MDK:...

gf

Date

Rep. Huebsch:

This bill is a redraft of 2003 ASA 1 to 2003 SB 8, as amended by AA 1 and AA 2.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3590/1dn
MDK:kjf:jf

December 6, 2007

Rep. Huebsch:

This bill is a redraft of 2003 ASA 1 to 2003 SB 8, as amended by AA 1 and AA 2.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Basford, Sarah

From: Moore, Kevin
Sent: Monday, December 10, 2007 4:54 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3590/1 Topic: Withholding from public inspection information about public utility security

Please Jacket LRB 07-3590/1 for the ASSEMBLY.